

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/11/2011 has been entered.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Allowable Subject Matter

3. Claims 38-39, 42-43, 45-50, 52-53, 57 and 58 are allowed.

4. The following is an examiner's statement of reasons for allowance: None of the references cited in previous office action or cited on PTOL-892 form (attached herewith), taken alone or in combination, *inter alia* teaches or fairly suggests the limitation of a flexible mould for a culinary preparation, wherein a lower portion of the flexible hollow piece comprising a flexible upper lip projecting from the lower base of the upright sidewall, extending above the flexible lower lip, defining with the flexible lower lip a radially opened groove in which the plate-shape base stiffener is removably received and clipped, said flexible upper lip pinning the plate-shape base stiffener against the flexible lower lip, wherein **the flexible lower lip being ring shaped wall limited towards the center of the bottom wall by a hole that is covered by the plate-shape base stiffener, wherein the ring shaped wall having an upper surface presenting a shouldering making it thicker in the peripheral part that is close to the lower base of the sidewall than in a central part that is close to the hole, wherein the plate shape base stiffener having an annular step in order to approximately follow the upper surface of the ring shaped wall on which it is disposed** as set forth in the claims 38 and 57; and also the **lower ring shaped wall occupies between 1/5 and 4/5 of the total surface area of the bottom wall of the mould** as set forth in claim 57 of the instant application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Response to Arguments

5. Applicant’s arguments, see Remarks, filed on 7/11/2011, with respect to rejection of claims over **Trockels et al. (DE 4222676) in view of Liotto et al. (US 4,644,858)**, wherein Applicant argues that base plate of Trockels et al. (‘676) is not only made of a flexible material like silicon rubber but also made of metal. Applicant further argues that Liotto et al. (‘858) discloses a rigid mould having split cylindrical shell formed by complementary arcuate sections articulated to each other by a vertical hinge, wherein the cylindrical shell comprises a circular bead and a ring defining a circular inner groove adapted to receive lip of the base to form a leak proof seal, however, Liotto et al. (‘858) fails to disclose that **the flexible lower lip is a ring shaped wall having an upper surface presenting a shouldering making it thicker in the peripheral part that is close to the lower base of the sidewall than in a central part that is close to the hole**. Applicant further argues that Liotto et al. (‘858) discloses that the upper surface of the ring is plane, wherein the ring includes a vertical flange projecting from its lower surface and perpendicular to the lower surface, wherein the ring has a constant thickness from the sidewall of the cylindrical envelope to the vertical flange, but fails to disclose **the plate-shaped base stiffener having an annular step in order to follow the upper surface of the lower ring shaped wall**. Applicant’s arguments have been fully considered and are persuasive, and, therefore, rejection of claims over **Trockels et al. (DE 4222676) in view of Liotto et al. (US 4,644,858)** has been withdrawn.

6. For rejection of claims over **Rade (US 1,531,569) in view of Llorente Hompanera (US 2001/0043977)**, wherein Applicant argues that **Rade (‘569) fails to disclose an upper lip defining with a lower lip, a radially opened groove, and the plate which is pinned against the lower lip by the upper lip as claimed**. Applicant further argues that Rade (‘569) discloses an inturned flange (12) at its lower edge, **fails to disclose an upper lip which extends radially**, but rather discloses a stud having a different structure, wherein the stud apparently has the shape of a cylinder, thus the space between the stud and the inturned flange cannot be regarded as a groove which extends radially. Applicant argues that **Rade (‘569) also fails to disclose flexible lips and the plate shape base stiffener which is removably clipped into the groove**, wherein

the plate shape base stiffener having an annular step in order to follow the upper surface of the lower ring shaped wall. Applicant's arguments have been fully considered and are persuasive, and, therefore, rejection of claims over **Rade (US 1,531,569) in view of Llorente Hompanera (US 2001/0043977)** has been withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIMPLE BODAWALA whose telephone number is (571)272-6455. The examiner can normally be reached on Monday - Friday at 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH S. DEL SOLE can be reached on (571) 272-1130. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DIMPLE BODAWALA/
Examiner, Art Unit 1743

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Supervisory Patent Examiner, Art Unit 1743